

**REMARKS**

The Examiner has issued a 4-way restriction requirement. Applicant provisionally elects group I (claims 1-14) with traverse.

Applicant first notes that the Examiner presents class/sub-class classifications in the Action for each claim group. In particular, the Examiner assigns the classifications as follows:

Claim Group I	claims 1-14	Subclasses	455/437-439
Claim Group II	claims 15-17	Subclass	455/403
Claim Group III	claim 18	Subclass	455/456.5
Claim Group IV	claims 19	Subclass	455/418

Applicant notes that all the pending claims include limitations directed to neighbor list and central link-list database activities related to changes in cell layout for e.g., when cells are added or deleted. Indeed this is the prime context in which the invention is described (see ¶2, "As cells are added or deleted, and/or as the assignment of control channels to particular cells changes, the contents of the stored neighbor lists need to be updated to reflect the new arrangements, so that the mobile terminals are provided with correct neighbor list information."). Applicant also notes that such subject matter would appear to belong to class 455, subclass 446, which is directed to "subject matter including a design of cell architecture of the cellular telephone system" according to the class definition. Accordingly, Applicant submits that all pending claims should be classified in subclass 455/446, and should therefore be examined simultaneously.

In the alternative, and assuming *arguendo* that the Examiner's classification logic is correct, Applicant notes the following:


1. Subclasses 455/437-439 (Group I) are indented under subclass 455/403 (Group II). As such, Applicant submits that subclass 455/403 must be searched whenever subclasses 455/437-439 are searched. Accordingly, there should not be any additional burden on the Examiner to search and examine Claim Group I and Claim Group II simultaneously. Absent additional burden, the restriction between these groups is improper.
2. Assuming the classification of Group I is correct, then the claims of Group III are mis-classified. Subclass 455/465.5 relates to *monitoring the location of a mobile station* (see class definition of the superior subclass 456.1). Applicant respectfully submits that, based on the logic apparently used by the Examiner to classify Claim Group I, Claim Group III should be classified under subclass 455/436, which is the immediately superior subclass to subclasses 455/437-439 assigned to Claim Group I. As such, Applicant respectfully submits that there should not be any additional burden on the Examiner to search and examine Claim Group I and Claim Group III simultaneously. Again, absent additional burden, the restriction between these groups is improper.
3. The claims of Group IV are classified in subclass 455/418, which is, according to the class definition, directed to "Subject matter comprising an operation controlling logic which modifies operating characteristics of the radiotelephone system." Applicant respectfully submits that if Claim Group IV

is properly classified, this must be because the Examiner views that the neighbor list and central link-list database activities "modify operating characteristics of the radiotelephone system." If so, then Applicant submits that all the pending claims in the application should be so classified, as all claims contain limitations directed to neighbor list and central link-list database activities that are at least related to those claimed in claim 19. And, if all the claims are classified in subclass 455/418, then the restriction is improper.

In view of the above, Applicant requests that the Examiner withdraw the restriction requirement and examine all claims simultaneously.

Respectfully submitted,  
COATS & BENNETT, P.L.L.C.

Dated: October 28, 2005

  
\_\_\_\_\_  
John R. Owen  
Registration No.: 42,055  
Telephone: (919) 854-1844  
Facsimile: (919) 854-2084